

Exhibit “BB” to Amended Verified Petition

TOWN OF MONTGOMERY

74 MAIN STREET
WALDEN, N.Y. 12586



June 14, 1990

DiNardo Gilmartin and Burke, P.C.
Attorneys at Law
90 East Main Street (Route 94)
P.O. Box 1000
Washingtonville, New York 10992

Attn: Robert DiNardo

RE: Mehlon Trucking

Dear Mr. DiNardo:

In review of our file on the above matter we note that we last corresponded with you by letter dated July 27, 1989 wherein we requested that you incorporate into the SEQRA submissions the various issues which were of concern at that time. To date we have not received any response and we wish to confirm again to you that until such time as all necessary information pursuant to SEQRA is submitted, the Board deems this matter to be on hold pending action of the applicant.

If the Mehlon Mine project is no longer being pursued, would you kindly send us a letter to that affect.

Very truly yours,

William J. Kelly, Jr.
William J. Kelly, Jr.
Planning Board Chairman

WJK:ctr

cc: E. Garling
R. Hoyt